

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

MANUEL MARQUINA, a/k/a/ LUIS GARCIA, on
behalf of himself, FLSA Collective Plaintiffs, and the
Class,

Plaintiff(s)

v.

STOUT NYC HOSPITALITY GROUP INC.
et al.
(See Rider)

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* See Rider

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

C.K. Lee, Esq.,
Lee Litigation Group, PLLC
148 West 24th Street, Eighth Floor,
New York, NY 10011

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

s/ G. Pisarczyk

Date:

5/9/2025

Signature of Clerk or Deputy Clerk

Tammi M. Hellwig

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

SUMMONS RIDER

DEFENDANTS

STOUT NYC HOSPITALITY GROUP INC. f/k/a WHELAN BROTHERS MANAGEMENT GROUP, INC., AMITY STREET, INC. d/b/a AMITY HALL DOWNTOWN, AMITY HALL UPTOWN INC. d/b/a AMITY HALL UPTOWN, STOUT INC. d/b/a FEILE d/b/a STOUT NYC PENN STATION, MAGGIE'S PLACE, INC. d/b/a MAGGIE'S PLACE, RIVERCREST INC. d/b/a RIVERCREST, STOUT II, INC. d/b/a STOUT NYC FINANCIAL DISTRICT, STOUT III INC. d/b/a STOUT NYC GRAND CENTRAL, STOUT BRYANT PARK, INC. d/b/a STOUT NYC BRYANT PARK, STOUT MARKETS, INC. d/b/a STOUT NYC LODGE BAR, HALF PINT ON THOMPSON, LLC d/b/a ERNIE'S BAR d/b/a THE HALF PINT, THE INDEPENDENT NYC, INC. d/b/a THE INDEPENDENT, THE LONG ROOM INC. d/b/a THE LONG ROOM, THE WOLFE ON AMSTERDAM INC. d/b/a THE WOLFE, and MARTIN P. WHELAN,

DEFENDANT(S) ADDRESS(ES)

- STOUT NYC HOSPITALITY GROUP INC.
786 Walt Whitman Rd
Melville, NY 11747
- AMITY STREET, INC.
c/o Benjamin J. Heitner
786 Walt Whitman Rd.
Melville, NY 11747
- AMITY HALL UPTOWN INC.
c/o WHELAN BROTHERS MANAGEMENT GROUP, INC.
786 Walt Whitman Rd.
Melville, NY 11747
- STOUT INC.
133 W 33rd St
New York NY 10001
- MAGGIE'S PLACE, INC.
21 E 47th St
New York NY 10017
- RIVERCREST INC.
c/o WHELAN BROTHERS MANAGEMENT
786 Walt Whitman Rd.
Melville, NY 11747
- STOUT II, INC.
786 Walt Whitman Rd.
Melville, NY 11747
- STOUT III INC.
60 E 41st St
New York, NY 10017
- STOUT BRYANT PARK, INC.
786 Walt Whitman Rd.
Melville, NY 11747
- STOUT MARKETS, INC.
786 Walt Whitman Rd.
Melville, NY 11747
- HALF PINT ON THOMPSON, LLC
c/o Benjamin J. Heitner
786 Walt Whitman Rd.
Melville, NY 11747
- THE INDEPENDENT NYC, INC.
c/o Whelan Management
786 Walt Whitman Rd.
Melville, NY 11747

- THE LONG ROOM INC.
c/o Half Pint
234 Thompson Street
New York, NY 10012
- THE WOLFE ON AMSTERDAM INC.
21-45 44th Dr, Apt PHE
Long Island City, NY 11101
- MARTIN P. WHELAN
c/o STOUT NYC HOSPITALITY GROUP INC.
133 W 33rd St
New York NY 10001